

RESOLUTION NO. 3737

AUTHORIZING AND DIRECTING CONDEMNATION OF
REAL PROPERTY FOR STREET AND UTILITY PUR-
POSES AND ELECTRIC POWER FACILITIES

BE IT RESOLVED by the Council of the City of Lodi
as follows:

The Council of the City of Lodi finds, determines, and
hereby declares:

(1) That the public interest, necessity, and
convenience require the acquisition, construction, and
completion in the City of Lodi of a public improvement,
to wit: Street widening and the installation of electric
power facilities and other utility services on and across
certain real property located on Lower Sacramento Road,
South of Lodi Avenue, in the City of Lodi, San Joaquin
County, California.

(2) That the real property hereinafter described
is suitable, adaptable, necessary and required for the public
use of said City of Lodi, as hereinabove set forth.

(3) That the City of Lodi acquire the hereinafter-
described real property for street widening, utility and
electrical power distribution purposes, by donation, purchase
or by condemnation in accordance with the provisions of
the Code of Civil Procedure of the State of California re-
lating to eminent domain. That the City Attorney is hereby
authorized to prosecute in the name of the City of Lodi, any
and all actions or proceedings required to acquire the
necessary land and/or to fix the compensation to be paid for
property damage resulting from the construction and main-
tenance of said improvements; and in the absence of a
satisfactory price agreement with the owner of the land,
the City Attorney is hereby directed to immediately commence
proceedings under Title Seven, Part Three of the Code of
Civil Procedure of the State of California to condemn the
property hereinafter described for the purpose of taking
said land for the public use of said City as hereinabove set
forth.

(4) To acquire in the name of the City of Lodi,
a fee simple estate in and to the said hereinafter-described
real property by condemnation in accordance with the pro-
visions of the Streets and Highways Code, Code of Civil
Procedure, and the Constitution of California relating to
eminent domain.

(5) To make application to a Court of competent jurisdiction for an order fixing the amount of such security in the way of money deposits as said Court may direct, and for an order permitting said City of Lodi to take immediate possession and use of said property, or interest in real property, or existing improvements for the public use as hereinabove set forth; to make deposit of such security or moneys in such amount so fixed and determined and in such manner as said Court in which such condemnation proceedings are pending may direct.

(6) The real property, or interest in real property which the City of Lodi is by this Resolution authorized to acquire for said public improvements are situate in the City of Lodi, County of San Joaquin, State of California, and is particularly described as follows:

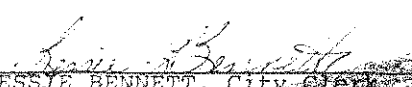
A portion of the Northeast Quarter of Section 10, Township 3 North, Range 6 East, Mount Diablo Base and Meridian, and more particularly described as follows:

Beginning at the Northwest corner of LOBAUGH SUBDIVISION as filed for record March 28, 1962 in Vol. 16, page 86, Book of Maps and Plats, San Joaquin County Records; thence North, parallel to the West line of said Northeast Quarter, 204.00 feet; thence South 89° 16' East 25.00 feet; thence South 2° 48' 28" West, 204.12 feet to the Northwest corner of Lot 1 of said LOBAUGH SUBDIVISION; thence North 89° 16' West, along the North line of said LOBAUGH SUBDIVISION, 15.00 feet to the point of beginning.


Dated: March 7, 1973.

I hereby certify that the foregoing resolution was passed and adopted by the City Council of the City of Lodi in regular meeting held March 7, 1973, by the following vote:

AYES:	Councilmen - HUGHES, KATNICH, PINKERTON, and SCHAFER
NOES:	Councilmen - None
ABSENT:	Councilmen - EHRHARDT


BESSIE BENNETT, City Clerk

The foregoing document is certified to be a correct copy of the original on file in this office.


BESSIE L. BENNETT, City Clerk,
City of Lodi

Dated: _____